

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY


(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

REC'D U 1 SEP 2005

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Applicant's or agent's file reference 6/NPW40061WO	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/GB2004/003252	International filing date (day/month/year) 28.07.2004	Priority date (day/month/year) 09.10.2003
International Patent Classification (IPC) or national classification and IPC G06F1/00		
Applicant VODAFONE GROUP PLC et al.		
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 6 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> sent to the applicant and to the International Bureau a total of sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>		
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the opinion</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input checked="" type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input checked="" type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>		
Date of submission of the demand 02.05.2005	Date of completion of this report 30.08.2005	
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized Officer Chabot, P Telephone No. +49 89 2399-	



INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/GB2004/003252

Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This report is based on translations from the original language into the following language , which is the language of a translation furnished for the purposes of:
 - ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the **elements*** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

Description, Pages

1-46 as originally filed

Claims, Numbers

1-129 as originally filed

Drawings, Sheets

1-12 as originally filed

- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing
3. ☐ The amendments have resulted in the cancellation of:
 - ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing (*specify*):
 - ☐ any table(s) related to sequence listing (*specify*):
 4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
 - ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing (*specify*):
 - ☐ any table(s) related to sequence listing (*specify*):

* If item 4 applies, some or all of these sheets may be marked "superseded."

**INTERNATIONAL PRELIMINARY REPORT
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Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

1. The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious), or to be industrially applicable have not been examined in respect of:

☐ the entire international application,

☒ claims Nos. 2-51,53-100,125-129, 101-124

because:

☐ the said international application, or the said claims Nos. relate to the following subject matter which does not require an international preliminary examination (specify):

☐ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. are so unclear that no meaningful opinion could be formed (*specify*):

☐ the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed.

☒ no international search report has been established for the said claims Nos. 2-51,53-100,125-129, 101-124

☐ the nucleotide and/or amino acid sequence listing does not comply with the standard provided for in Annex C of the Administrative Instructions in that:

the written form

☐ has not been furnished

☐ does not comply with the standard

the computer readable form

☐ has not been furnished

☐ does not comply with the standard

☐ the tables related to the nucleotide and/or amino acid sequence listing, if in computer readable form only, do not comply with the technical requirements provided for in Annex C-*bis* of the Administrative Instructions.

☐ See separate sheet for further details

**INTERNATIONAL PRELIMINARY REPORT
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Box No. IV Lack of unity of invention

1. ☒ In response to the invitation to restrict or pay additional fees, the applicant has:
- ☐ restricted the claims.
 - ☐ paid additional fees.
 - ☐ paid additional fees under protest.
 - ☒ neither restricted nor paid additional fees.
2. ☐ This Authority found that the requirement of unity of invention is not complied with and chose, according to Rule 68.1, not to invite the applicant to restrict or pay additional fees.
3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is
- ☐ complied with.
 - ☒ not complied with for the following reasons:
see separate sheet
4. Consequently, this report has been established in respect of the following parts of the international application:
- ☐ all parts.
 - ☒ the parts relating to claims Nos. 1-100, 125-129 .

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	
	No: Claims	1,52
Inventive step (IS)	Yes: Claims	
	No: Claims	1,52
Industrial applicability (IA)	Yes: Claims	1,52
	No: Claims	

2. Citations and explanations (Rule 70.7):

see separate sheet

**INTERNATIONAL PRELIMINARY
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(SEPARATE SHEET)**

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Re Item III.

Claims 2-51,53-100,125-129, 101-124 in which respect no international search report has been established are no subject of international preliminary examination, Rule 66.1(e) PCT.

Re Item IV.

The separate inventions/groups of inventions are:

1-100,125-129

Authentication process.

101-109

Sim holder or dongle for authentication.

110-119

Authentication server.

120-121

Sim card for authentication.

122-124

Data packet for authentication process.

They are not so linked as to form a single general inventive concept (Rule 13.1 PCT) for the following reasons:

The above listed group of claims do not share the same neither any single general inventive concept within the meaning of Rule 13.1 CPT.

The single general concept shared between the groups of claims is 'Authentication'. This concept is not new as shown by Document WO0144950.

Hence the claims 1-129 are not so linked as to form a general inventive concept. The application lacks unity, Rule 13.1 PCT.

Re Item V.

- 1 The following documents are referred to in this communication:
D1: US 2001/045451 A1 (HSU JOE ET AL) 29 November 2001 (2001-11-29)
- 2 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not new in the sense of Article 33(2) PCT.
Document D1 discloses (the references in parenthesis applying to this document):
 - a) A method for carrying out an authentication process for authenticating a transaction with an entity by means of a data processing apparatus (Par. 1 Fig. 4).
 - b) The entity generates transaction data relating to the transaction (Fig. 4 Item 22).
 - c) At least during the authentication process the data processing apparatus has operatively associated with it a selected one of a plurality of authentication storage means each for storing predetermined authentication information, the authentication storage means being registrable with a common system (Par. 32).
 - d) The method including the step of carrying out the authentication process via a communications link with that system, the authentication process being carried out by authenticating means incorporated in the system and involving the use of the predetermined authentication information stored by the selected one authentication storage means and the transaction data (Par. 33&34, Fig. 4).
 - e) Wherein in order to authenticate the transaction, the transaction data is transmitted between the data processing apparatus and the system via a transaction manager implemented by the data processing apparatus, and the predetermined authentication information is also transmitted between the authentication storage means and the system via the transaction manager (Par. 33&34, Fig. 4).
3. The independent claim 52 refers to the corresponding system claim of method claim 1. Hence the same objection previously raised to claim 1 is applicable to claim 52, mutatis mutandis.